1	<u>F</u>	EMARKS

The Applicant respectfully requests reconsideration and allowance of claims 1-2, 4-7, 912, 14-16, and 18-20 in view of the following arguments.

The Applicant appreciates the telephone interview conducted on September 9, 2004, between the Examiner and Applicant's attorney, Russell D. Culbertson. In the telephone interview, the Applicant's attorney noted that the first Office Action did not reference the Information Disclosure Statement (IDS) filed January 18, 2002. The Applicant's attorney also noted that the claims are amended in this response to distinguish over the reference cited in the January 18, 2002 IDS, and that the claims are patentable over the reference cited in the first Office Action for the reasons described in detail below. No agreement was reached as to allowability, however, the Examiner indicated that he would consider the amended claims in light of the January 18, 2002 IDS.

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I. THE AMENDMENTS TO THE CLAIMS

The present application was originally filed with claims 1 through 20. Claims 3, 8, 13, and 17 are canceled above leaving claims 1-2, 4-7, 9-12, 14-16, and 18-20 pending in the case.

Independent claims 1, 11, and 16 are amended above to distinguish over the information included in the IDS filed January 18, 2002. The dependent claims are amended accordingly. In addition, claim 2, 14, and 15 are amended to correct a typographical error.

II. CLAIMS 1-20 ARE NOT ANTICIPATED BY THE KWATINETZ REFERENCE

Claims 1-20 were rejected under 35 U.S.C. 102(b) as being anticipated by Patent No.

5,574,840 to Kwatinetz et al. (the "Kwatinetz patent" or "Kwatinetz"). The Applicant

respectfully traverses these rejections.

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Claim 1

Claim 1 requires "receiving an edit function input entered through the user input arrangement, the edit function input defining an edit operation" and "identifying a target in response to the edit function input, the target comprising an object appearing on the display as specified by proximity to the pointer at the time the edit function is received..." Claim 1 also requires "identifying a first target string for the target if the state of the target indicates that the edit operation is currently applied to the target" and "applying the edit operation to the first target string if the state of the first target string indicates that the edit operation is not currently applied to the first target string." The Kwatinetz patent does not teach or suggest receiving an edit function and identifying a target in response to the edit function input. Rather, Kwatinetz discloses selecting text in one text selecting mode or another, and then invoking a desired edit function input. In addition, Kwatinetz does not teach or suggest identifying a first target string and applying the edit operation based on the state of the first target string, as required by claim 1. The Kwatinetz patent only discloses a method and apparatus for determining when to switch between two different text selection modes, each mode providing a different granularity of selection. In particular, the Kwatinetz patent teaches a system in which a user positions a mouse at an anchoring point and drags the mouse to select a certain amount of text. The amount of text

1 selected depends on the current text selection mode. The text selection mode depends on user 2 input, the movement of the mouse, or the amount of time the mouse has remained stationary. 3 (col. 3, line 55-col. 4, line 22 of Kwatinetz) 4 Therefore, since the Kwatinetz patent does not teach or suggest all of the elements 5 required in claim 1, claim 1 is not anticipated by the Kwatinetz patent and is entitled to 6 allowance with its respective dependent claims, claims 2, 4-7, and 9-10. 7 Independent claims 11 and 16 include requirements similar to those of independent claim 8 1, mainly that an edit function input is entered through a user input arrangement, a target and first 9 target string are identified in response to the edit function input, and the edit operation is applied 10 to the target and the first target string under certain conditions of the respective targets. Therefore, the arguments presented above with respect to claim 1, apply with equal force to 11 12 claims 11 and 16. Thus, claims 11 and 16 are not anticipated by Kwatinetz and are entitled to 13 allowance together with their respective dependent claims, claims 12, 14-16, and 18-20. 14 15 Claims 5 and 7 16 Although claims 5 and 7 are entitled to allowance based on the allowability of claim 1, 17 these claims are also entitled to allowance on grounds independent from those of the allowable 18 base claim. 19 Claim 5 requires "identifying a second target string for the target if the state of the first 20 target string indicates that the operation is currently applied to the first target string" and 21 "applying the edit operation to the second target string if the state of the second target string 22 indicates that the edit operation is not currently applied to the second target string." In addition,

claim 7 includes similar identifying and applying requirements for a third target string. The arguments presented above for claim 1 with respect to identifying and applying an edit operation to a target and first target string also apply to claims 5 and 7 in that Kwatinetz does not teach or suggest the identification of a second or third target string and applying an editing operation to those strings. Therefore, claims 5 and 7 are allowable both as being dependent on an allowable base claim and in view of the limitations they directly add.

In addition, claims 14, 15, 18, and 19 have the same requirements regarding the identification of second and third target strings and applying an edit operation to each of those strings if the state of the respective second or third target string indicates that the edit operation is not currently applied to that respective string. Therefore, claims 14, 15, 18, and 19 are also allowable both as being dependent upon an allowable base claim and in view of the limitations they directly add.

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III. SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

The Applicant filed a second IDS in the present application on January 18, 2002 (this date being the date stamped by the USPTO on the return postcard which accompanied this IDS). However, the currently outstanding Office Action did not acknowledge the January 18, 2002 IDS and did not acknowledge consideration of the reference cited therein. The Applicant respectfully requests that Examiner acknowledge consideration of the January 18, 2002 IDS together with the reference cited in this IDS.

The reference included in the January 18, 2002 IDS arguably anticipates the functionality claimed in original claims 1, 11, and 16 regarding identifying a target and applying an edit

operation to the target. In particular, the reference teaches "To change a single word, just click it 1 2 to place the insertion point in the word, and apply any changes, such as bold or italic." However, 3 the reference does not teach or suggest the functionality of original claims 3, 13, and 17. 4 Specifically, the reference does not teach or suggest "identifying a first target string if the state of 5 the target indicates that the edit operation is currently applied to the target" and "applying the edit 6 operation to the first target string if the state of the first target string indicates that the edit operation is not currently applied to the first target string." Therefore, claim 1 is amended above 7 8 to include the limitations previously set out in claim 3, claim 11 is amended to include the 9 limitations previously set out on claim 13, and claim 16 is amended to include the limitations 10 previously set in claim 17.

IV. <u>CONCLUSION</u>

For all of the above reasons, the Applicant respectfully requests reconsideration and allowance of claims 1-2, 4-7, 9-12, 14-16, and 18-20. If the Examiner should feel that any issue remains as to the allowability of these claims, or that a further conference might expedite allowance of the claims, he is asked to telephone the Applicant's attorney, Russell D. Culbertson, at the number listed below.

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Respectfully submitted,

The Culbertson Group, P.C.

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ATTORNEYS FOR APPLICANT

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, (Fax No. 703-872-9306) on September 10, 2004.

Reg. No. 32,124, Russell D. Culbertson_

Dated: September 10, 2004

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